IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Crl.Rev.Pet.No. 3788 of 2006(C)

CRA.144/2006 of IV ADDL.SESSIONS COURT, ERNAKULAM
ST.6150/2003 of JUDL.MAGISTRATE OF FIRST CLASS, PERUMBAVOOR
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REVN. PETITIONER: APPELLANT/ACCUSED

N.P.SAJU, AGED 43 YEARS, S/O. POULOSE,
NADACKAL VEEDU, KODANADU P.O.,
KOOVAPPADY.

BY ADV. SRI.K.SUNILKUMAR

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE
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1. T.V.VARGHESE, S/O. VARKEY,
THURUTHIYIL HOUSE, PANAMKUZHI,
KODANADU P.O.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.A. NO. 10802/2006 IN CRL. R.P. NO. 3788/2006

DISMISSED

21.02.2007 SD/- K.R. UDAYABHANU, JUDGE.

K.R. UDAYABHANU, J

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CRL. R.P. NO. 3788 OF 2006

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Dated this the 21st day of February 2007

O R D E R

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for one month and to pay an amount of Rs.91,000/- under section 357 (3) Cr.P.C and in default to undergo simple imprisonment for 45 days.

2. The counsel for the revision petitioner has sought for modification of sentence and for time to make the payment. In the circumstances, sentence is modified to imprisonment till rising of the court. The rest of the sentence is retained. The revision petitioner is granted six months time from today onwards to make the payment. He shall appear before Judicial First Class Magistrate, Perumbavoor on 20.08.2007 to receive sentence.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV